

§ 622.14

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commercial trip limits, as specified in this part.

(w) Fail to comply with the restrictions on sale/purchase, as specified in this part.

(x) Interfere with fishing or obstruct or damage fishing gear or the fishing vessel of another, as specified in this part.

(y) Fail to comply with the requirements for observer coverage as specified in this part.

(z) Assault, resist, oppose, impede, intimidate, or interfere with a NMFS-approved observer aboard a vessel.

(aa) Prohibit or bar by command, impediment, threat, coercion, or refusal of reasonable assistance, an observer from conducting his or her duties aboard a vessel.

(bb) Fish for or possess golden crab in or from a fishing zone or sub-zone of the South Atlantic EEZ other than the zone or sub-zone for which the vessel is permitted or authorized, as specified in § 622.241.

(cc) Falsify information submitted regarding an application for testing a BRD or regarding testing of a BRD, as specified in §§ 622.53 and 622.207.

(dd) Make a false statement, oral or written, to an authorized officer regarding the installation, use, operation, or maintenance of a vessel monitoring system (VMS) unit or communication service provider.

(ee) Operate or own a vessel that is required to have a permitted operator aboard when the vessel is at sea or offloading without such operator aboard, as specified in this part.

(ff) When a vessel that is subject to Federal fishing regulations is at sea or offloading, own or operate such vessel with a person aboard whose operator permit is revoked, suspended, or modified.

(gg) Fail to comply with any provision related to a vessel monitoring system (VMS) as specified in this part, including but not limited to, requirements for use, installation, activation, access to data, procedures related to interruption of VMS operation, and prohibitions on interference with the VMS.

(hh) Fail to comply with the protected species conservation measure as specified in this part.

(ii) Fail to comply with any provision related to the IFQ program for Gulf red snapper as specified in § 622.21, or the IFQ program for Gulf groupers and tilefishes as specified in § 622.22.

(jj) Falsify any information required to be submitted regarding the IFQ program for Gulf red snapper as specified in § 622.21, or the IFQ program for Gulf groupers and tilefishes as specified in § 622.22.

(kk) Fail to comply with the Caribbean, Gulf of Mexico, and South Atlantic spiny lobster import prohibitions, as specified in this part.

(ll) Possess a Gulf of Mexico or South Atlantic spiny lobster trap in the EEZ at a time not authorized, as specified in subpart R.

(mm) Harvest or attempt to harvest a Gulf of Mexico or South Atlantic spiny lobster by diving without having and using in the water a measuring device, as specified in subpart R.

(nn) Possess Gulf of Mexico or South Atlantic spiny lobsters aboard a vessel that uses or has on board a net or trawl in an amount exceeding the limits, as specified in subpart R.

(oo) Operate a vessel that fishes for or possesses Gulf of Mexico or South Atlantic spiny lobster in or from the EEZ with spiny lobster aboard in an amount exceeding the cumulative bag and possession limit, as specified in subpart R.

(pp) [Reserved]

(qq) Fail to comply with any other requirement or restriction specified in this part or violate any provision(s) of this part.

[78 FR 57535, Sept. 19, 2013]

§ 622.14 Area closures related to the Deepwater Horizon oil spill.

(a) *Caribbean EEZ area closure related to Deepwater Horizon oil spill.* Effective May 11, 2010, all fishing is prohibited in the portion of the Caribbean EEZ identified in the map shown on the NMFS Web site: http://sero.nmfs.noaa.gov/deepwater_horizon_oil_spill.htm.

(b) *Gulf EEZ area closure related to Deepwater Horizon oil spill.* Effective May 11, 2010, all fishing is prohibited in the portion of the Gulf EEZ identified in the map shown on the NMFS Web site: http://sero.nmfs.noaa.gov/deepwater_horizon_oil_spill.htm.

(c) *Atlantic EEZ area closure related to Deepwater Horizon oil spill.* Effective May 11, 2010, all fishing is prohibited in the portion of the South Atlantic EEZ identified in the map shown on the NMFS Web site: http://sero.nmfs.noaa.gov/deepwater_horizon_oil_spill.htm.

§ 622.15 Notice regarding area closures to protect corals.

See §§ 622.74 and 622.224, respectively, regarding coral protective restrictions in the Gulf EEZ and South Atlantic EEZ that apply broadly to multiple fisheries and gear types.

§ 622.16 Notice regarding South Atlantic special management zones (SMZs).

See §§ 622.182(a) and 622.382(a)(1)(v), respectively, regarding fishing and gear restrictions in South Atlantic SMZs that apply to snapper-grouper and coastal migratory pelagic fisheries and broadly to gear types of multiple fisheries.

§ 622.17 Notice regarding seasonal/area closures to protect Gulf reef fish.

See § 622.34, paragraphs (a)(1) and (a)(3) through (6), regarding Gulf reef fish protective restrictions in the Gulf EEZ that apply broadly to multiple Gulf fisheries and gear types.

Subpart B—Reef Fish Resources of the Gulf of Mexico

§ 622.20 Permits and endorsements.

(a) *Commercial vessels*—(1) *Commercial vessel permits.* For a person aboard a vessel to be eligible for exemption from the bag limits, to fish under a quota, as specified in § 622.39, or to sell Gulf reef fish in or from the Gulf EEZ, a commercial vessel permit for Gulf reef fish must have been issued to the vessel and must be on board. If Federal regulations for Gulf reef fish in subparts A or B of this part are more restrictive than state regulations, a person aboard a vessel for which a commercial vessel permit for Gulf reef fish has been issued must comply with such Federal regulations regardless of where the fish are harvested. See paragraph (a)(1)(i) of this section regarding a limited access

system for commercial vessel permits for Gulf reef fish. See §§ 622.21(b)(1) and 622.22(b)(1), respectively, regarding an IFQ vessel account required to fish for, possess, or land Gulf red snapper or Gulf groupers and tilefishes and paragraph (a)(2) of this section regarding an additional bottom longline endorsement required to fish for Gulf reef fish with bottom longline gear in a portion of the eastern Gulf.

(i) *Limited access system for commercial vessel permits for Gulf reef fish.* (A) No applications for additional commercial vessel permits for Gulf reef fish will be accepted. Existing vessel permits may be renewed, are subject to the restriction on transfer in paragraph (a)(1)(i)(B) of this section, and are subject to the requirement for timely renewal in paragraph (a)(1)(i)(C) of this section. An application for renewal or transfer of a commercial vessel permit for Gulf reef fish will not be considered complete until proof of purchase, installation, activation, and operational status of an approved VMS for the vessel receiving the permit has been verified by NMFS VMS personnel.

(B) An owner of a permitted vessel may transfer the commercial vessel permit for Gulf reef fish to another vessel owned by the same entity. A permit holder may also transfer the commercial vessel permit for Gulf reef fish to the owner of another vessel or to a new vessel owner when he or she transfers ownership of the permitted vessel.

(C) A commercial vessel permit for Gulf reef fish that is not renewed or that is revoked will not be reissued. A permit is considered to be not renewed when an application for renewal is not received by the RA within 1 year of the expiration date of the permit.

(ii) *Option to consolidate commercial vessel permits for Gulf reef fish.* A person who has been issued multiple commercial vessel permits for Gulf reef fish and wants to consolidate some or all of those permits, and the landings histories associated with those permits, into one permit must submit a completed permit consolidation application to the RA. The permits consolidated must be valid, non-expired permits and must be issued to the same entity. The application form and instructions are available online at sero.nmfs.noaa.gov.